

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: RN 11 23361
POSITION: Neutral

BILL NUMBER: SB 586
AUTHOR: F. Pavley
RELATED BILLS: AB 332 (Butler)

BILL SUMMARY: Banks and Credit Unions: Signature Stamps

This bill would prohibit banks and credit unions from issuing signature stamps to an account holder unless the account holder is present to request the stamp, and that fact is attested to in writing by an employee. If an account holder is physically unable to come to the bank or credit union to request a signature stamp, the bill would require they provide a notarized letter to that effect from their physician. The bill also would prohibit banks and credit unions from honoring mailed requests from signature stamp holders to open a new account.

This bill would double the existing fines for certain financial crimes involving elderly or dependent adults, and would require that 50 percent of those fines be allocated to the adult protective services agency of the county prosecuting the crimes.

FISCAL SUMMARY

Finance estimates this bill would have no state General Fund impact. We estimate any costs incurred by the Department of Financial Institutions would be minor and absorbable.

Although flagged as a mandate by the Legislative Counsel, the mandate should not be reimbursable because it creates a new crime.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the June 29, 2011 version of this bill do not alter our position. This bill, as amended by RN 11 23361, would incorporate amendments proposed by AB 332 (Butler), which would increase the fines imposed on persons that violate laws relating to the property or personal identifying information of an elder or a dependent adult, and Chapter 15, Chapter 2011 (AB 109), which is not yet operative. Certain sections of this bill would only become operative under specified conditions.

COMMENTS

Finance notes the following regarding this bill:

- We understand this bill is primarily intended to prevent deceitful caretakers from taking financial advantage of elderly and dependent adults.

Analyst/Principal (0751) M. Tollefson	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL NUMBER

SB 586

		SO	(Fiscal Impact by Fiscal Year)							
Code/Department	LA	(Dollars in Thousands)								
Agency or Revenue	CO	PROP							Fund	
Type	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code	
0001/Major Rev	LA	No	-----	No/Minor	Fiscal Impact	-----			0001	
2150/Finan Instit	SO	No	-----	No/Minor	Fiscal Impact	-----			0298	
<u>Fund Code</u>	<u>Title</u>									
0001	General Fund									
0298	Financial Institutions Fund									